

dix. Such compensation hereunder, or advances on account thereof, shall be deposited with the Treasurer of the United States in a separate deposit fund. Payments for such compensation and also for payment of any valid claim upon such vessel in accord with the provisions of the second paragraph of subsection (d) of section 1242 of title 46, Appendix, shall be made from such fund upon the certificate of the Secretary of Transportation.

(Aug. 9, 1954, ch. 659, §1, 68 Stat. 675; Pub. L. 96-70, title III, §3302(c), Sept. 27, 1979, 93 Stat. 498; Pub. L. 97-31, §12(152), Aug. 6, 1981, 95 Stat. 167.)

AMENDMENTS

1981—Pub. L. 97-31 substituted references to Secretary of Transportation for references to Secretary of Commerce wherever appearing.

1979—Pub. L. 96-70 struck out “, including the Canal Zone,” after “jurisdiction of the United States”.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 198 of this title.

§ 197. Voluntary purchase or charter agreements

During any period in which vessels may be requisitioned under section 1242 of title 46, Appendix, the President is authorized through the Secretary of Transportation to acquire by voluntary agreement of purchase or charter the ownership or use of any merchant vessel not owned by citizens of the United States.

(Aug. 9, 1954, ch. 659, §2, 68 Stat. 675; Pub. L. 97-31, §12(152), Aug. 6, 1981, 95 Stat. 167.)

AMENDMENTS

1981—Pub. L. 97-31 substituted “Secretary of Transportation” for “Secretary of Commerce”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 198 of this title.

§ 198. Requisitioned vessels

(a) Documentation of vessels

Any vessel not documented under the laws of the United States, acquired by or made available to the Secretary of Transportation under sections 196 to 198 of this title, or otherwise, may, notwithstanding any other provision of law, in the discretion of the Secretary of the department in which the Coast Guard is operating be documented as a vessel of the United States under such rules and regulations or orders, and with such limitations, as the Secretary of the department in which the Coast Guard is operating may prescribe or issue as necessary or appropriate to carry out the purposes and provisions of sections 196 to 198 of this title, and in accordance with the provisions of subsection (c) of this section, engage in the coastwise trade when so documented. Any document issued to a vessel under the provisions of this subsection shall be surrendered at any time that such surrender may be ordered by the Secretary of the

department in which the Coast Guard is operating. No vessel, the surrender of the documents of which has been so ordered, shall, after the effective date of such order, have the status of a vessel of the United States unless documented anew.

(b) Waiver of compliance

The President may, notwithstanding any other provisions of law, by rules and regulations or orders, waive compliance with any provision of law relating to masters, officers, members of the crew, or crew accommodations on any vessel documented under authority of this section to such extent and upon such terms as he finds necessary because of the lack of physical facilities on such vessels, and because of the need to employ aliens for their operation. No vessel shall cease to enjoy the benefits and privileges of a vessel of the United States by reason of the employment of any person in accordance with the provisions of this subsection.

(c) Coastwise trade; inspection

Any vessel while documented under the provisions of this section, when chartered under sections 196 to 198 of this title by the Secretary of Transportation to Government agencies or departments or to private operators, may engage in the coastwise trade under permits issued by the Secretary of Transportation, who is authorized to issue permits for such purpose pursuant to such rules and regulations as he may prescribe. The Secretary of Transportation is authorized to prescribe such rules and regulations as he may deem necessary or appropriate to carry out the purposes and provisions of this section. The second paragraph of section 9 of the Shipping Act, 1916, as amended [46 App. U.S.C. 808], shall not apply with respect to vessels chartered to Government agencies or departments or to private operators or otherwise used or disposed of under sections 196 to 198 of this title. Existing laws covering the inspection of steam vessels are made applicable to vessels documented under this section only to such extent and upon such conditions as may be required by regulations of the Secretary of the department in which the Coast Guard is operating: *Provided*, That in determining to what extent those laws should be made applicable, due consideration shall be given to the primary purpose of transporting commodities essential to the national defense.

(d) Reconditioning of vessels

The Secretary of Transportation without regard to the provisions of section 5 of title 41 may repair, reconstruct, or recondition any vessels to be utilized under sections 196 to 198 of this title. The Secretary of Transportation and any other Government department or agency by which any vessel is acquired or chartered, or to which any vessel is transferred or made available under sections 196 to 198 of this title may, with the aid of any funds available and without regard to the provisions of said section 5 of title 41, repair, reconstruct, or recondition any such vessels to meet the needs of the services intended, or provide facilities for such repair, reconstruction, or reconditioning. The Secretary of Transportation may operate or charter for op-